FILED: OCTOBER 27,2008

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JUDGE GOTTSCHALL

MAGISTRATE JUDGE NOLAN

RCC

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

TONYA AND SIDNEY HORTON,)
Plaintiffs,))) No. 06 CV
-VS-)
CITY OF CHICAGO and CHICAGO POLICE OFFICER FISHER, #17845,) (jury demand))
11311EK, #17043,)
Defendants.)

COMPLAINT

Plaintiffs, by counsel, allege as follows:

- 1. This is a civil action arising under 42 U.S.C. §1983. The jurisdiction of this court is conferred by 28 U.S.C. §1343.
- 2. Plaintiffs Tonya and Sidney Horton are residents of the Northern District of Illinois.
- 3. Defendant City of Chicago is an Illinois municipal corporation joined in this action as the potential indemnifier of the individual police officers.
- 4. Defendant Fisher was at all times relevant acting under color of his authority as a Chicago police officer.
- 5. On December 19, 2007, defendant Fisher arrested plaintiffs and caused them to be charged with a criminal offense. Defendant Fisher did not have a lawful basis on which to make these arrests; after making the arrest, defendant Fisher prepared false police reports and fabricated evidence that would be used to hold plaintiffs in custody and to be

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charged with a criminal offense.

6. Plaintiffs were required to appear in Court on several occasions before

they were absolved of the false criminal charges.

7. As the direct and proximate result of the above described acts, plaintiffs

were deprived of rights secured by the Fourth and Fourteenth Amend-

ments to the Constitution of the United States.

8. Plaintiffs hereby demand trial by jury.

Wherefore each plaintiff requests that judgment be entered in her (or his) their favor and against defendants in an amount in excess of fifty thousand dollars as compensatory damages.

/s/ Kenneth N. Flaxman

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